

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

December 7, 2000

CASE NO: MX-2000-434

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 7th
day of December, 2000.

In the Matter of a Proposed Amendment to Rule)
4 CSR 240-120.011 - Definitions.) Case No. MX-2000-434

ORDER FINDING NECESSITY FOR RULEMAKING

On January 18, 2000, the Staff of the Missouri Public Service Commission (Staff) filed a motion opening a case to consider the necessity of revising 4 CSR 240-120.011 to remove any reference to recreational vehicles. On September 29, 2000, the Commission issued an Order Directing Filing, directing Staff to file a status update no later than October 19, 2000. On that date, Staff filed a report indicating that it is in the process of preparing a recommendation to the Commission, which it expects to file no later than October 27, 2000.

On October 26, 2000, Staff filed a Motion for Finding of Necessity of Rulemaking. Staff proposes to amend rule 4 CSR 240-120.011 to replace the term "Division of Mobile Homes, Recreational Vehicles and Modular Units" with "Manufactured Housing and Modular Units Program." Staff states that this rulemaking is necessary to provide uniformity among the rules pertaining to manufactured housing and to update the rule with current industry terminology. In addition, the Commission no longer regulates recreational vehicles.

The Commission issued an Order Directing Filing on November 14, 2000, directing the Staff to correct certain deficiencies in its motion. Staff filed an Amended Motion for Finding of Necessity of Rulemaking on November 27, 2000. Staff notes that the proposed rulemaking will have no

fiscal impact on any private or public person or entity affected by the rulemaking. Staff also clarifies that the regulation of recreational vehicles was removed from the Commission's jurisdiction by Section 700.015, RSMo Supp. 1999.

The Staff memoranda demonstrate that the proposed rule is necessary to carry out the purpose of Section 700.015, RSMo Supp. 1999, and is based upon reasonably available empirical data. The Staff demonstrates the effectiveness and cost of the proposed rule to the state and to private or public persons or entities that will be affected by the rule.

Pursuant to Section 536.016, RSMo Supp. 1999, a state agency is required to find, based upon substantial evidence on the record, that a proposed rule is necessary to carry out the purposes of the statute that granted the rulemaking authority. Based on the record, the Commission finds that the proposed amendment to Rule 4 CSR 240-120.011 - Definitions, is necessary to carry out the purposes of Section 700.015, RSMo Supp. 1999.

IT IS THEREFORE ORDERED:

1. That the Staff of the Missouri Public Service Commission is authorized to proceed with the necessary procedures of the Commission and applicable procedures of administrative rulemaking and may file a proposed amendment in this case for the Commission's consideration.

2. That this order shall become effective on December 17, 2000.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer, Schemenauer,
and Simmons, CC., concur.
Murray, C., absent.

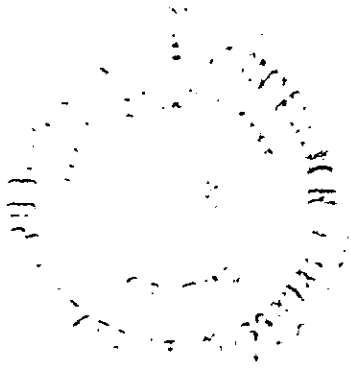
Ruth, Regulatory Law Judge

ALJ/Sec'y: Ruth Pope
 11-28 MX-2000-434
 Date Circulated CASE NO.
LS
 Lampe, Chair
mal
 Drainer, Vice Chair
CS
 Murray, Commissioner
AL
 Schenauer, Commissioner
CS
 Simmons, Commissioner
12-17
 Agenda Date
 Action taken: 4-OAS
 Must Vote Not Later Than _____

STATE OF MISSOURI
 OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
 I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
 Missouri, this 7th day of December 2000.



Dale Hardy Roberts
 Dale Hardy Roberts
 Secretary/Chief Regulatory Law Judge